

2020

Report of the Minnesota State Capitol Preservation Commission

m DEPARTMENT OF
ADMINISTRATION



State Capitol Preservation Commission

Annual Report

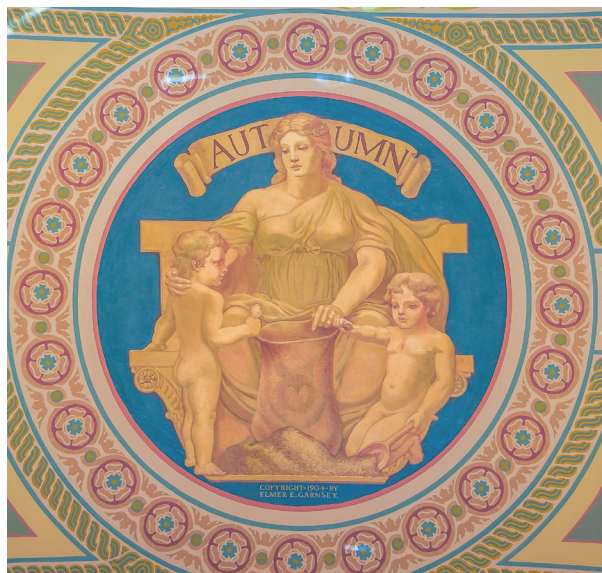
January 15, 2020

As required by Minnesota Statutes 2018, section 15B.32, the State Capitol Preservation Commission shall report to the chairs and ranking minority members of the legislative committees with jurisdiction over state government operations, capital investment, finance, ways and means, and legacy finance regarding the maintenance and preservation needs regarding the maintenance and preservation needs of the Capitol building, including the recommendations adopted by the commission, the comprehensive financial plan required and any proposed draft legislation necessary to implement the recommendations of the commission. The report shall be filed by January 15th of each year.

Note to Readers: This report is limited to the Capitol Building and its physical components, surface finishes, and infrastructure only. It does not contain discussion or information about the artwork, artifacts or furnishings placed throughout the building.

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Introduction

The 2011 legislation forming the State Capitol Preservation Commission created a 22-member commission.

Membership was defined in statute as consisting of the:

- Governor, Lt. Governor, Attorney General, and the Chief Justice of the Supreme Court;
- Senate Majority Leader, two additional members of the Senate Majority and two members of the Senate Minority;
- Speaker of the House, two additional members of the House Majority and two members of the House Minority;
- Chair and ranking minority member of the House of Representatives committee with jurisdiction over capital investment and the chair and ranking minority member of the Senate committee with jurisdiction over capital investment;
- Commissioners of Administration and Public Safety;
- Historical Society Director and the Executive Secretary of the Capitol Area Architectural and Planning Board; and
- Four public members.

Duties and Responsibilities of the Capitol Preservation Commission

1. The Commission shall exercise ongoing coordination of the protection, risk management, and preservation of the Capitol Building and shall consult with and advise the Commissioner of Administration, the Capitol Area Architectural and Planning Board, and the Minnesota Historical Society regarding their applicable statutory responsibilities for and in the Capitol Building.
2. The Commission shall develop a comprehensive, multi-year plan for the restoration of the Capitol Building, review the plan periodically, and, as appropriate, amend and modify the plan. The plan shall:
 - Identify appropriate and required functions of the Capitol Building;
 - Identify and address space requirements for legislative, executive, and judicial branch functions; and
 - Identify and address the long-term maintenance and preservation requirements of the Capitol.

In developing the predesign plan, the Commission shall take into account:

- The comprehensive plan for the Minnesota State Capitol Area, as amended in 2010;
- The rules governing zoning and design for the Capitol Area;
- Citizen access;

- Information Technology needs;
 - Energy efficiency;
 - Security;
 - Educational programs including public and school tours; and
 - Any additional space needs for the efficient operation of state government.
3. The Commission shall develop and implement a plan to ensure a welcoming and accessible Minnesota State Capitol for all Minnesotans and visitors.
 4. The Commission shall develop and implement a comprehensive financial plan to fund the preservation and restoration of the Capitol Building.
 5. The Commission shall provide annual reports about the condition of the Capitol Building and its needs, as well as all activities related to the preservation of the Capitol Building.
 6. By January 15 of each year, the Commission shall report to the Chairs and ranking minority members of the legislative committees with jurisdiction over the Commission regarding the activities and efforts of the Commission in the preceding calendar year, including recommendations adopted by the Commission, the comprehensive financial plan required under paragraph (a), clause (5) of MS 15B.32, Subd. 6, and any proposed draft legislation necessary to implement the recommendations of the Commission.
 7. The Commission shall approve a program of art exhibits to encourage public visits to the Capitol and to be displayed in a space in the Capitol Building that is listed in section 15B.36, subdivision 1, before an exhibit that is part of the program can be displayed for two weeks or longer. When considering recommendations made under section 15B.36, the commission must approve or reject recommended exhibits as a whole and may not approve or reject individual pieces within a recommended exhibit. The approved program must address the proposed schedule, how it addresses adopted themes for art in the Capitol, and the type or types of artwork.

Current Condition of the Capitol Building

The Capitol Restoration was substantially completed in 2016. In 2019 the Capitol Building remains in excellent condition with a Facility Condition Index (FCI) of 0.03¹.

The Department of Administration's (Admin's) Facilities Management Division (FMD) staff continually monitor the building for damage, deterioration and malfunctions to building systems and infrastructure. Surfaces and finishes that experience normal wear and tear are repaired as necessary by FMD and/or contract trades. Additionally, they perform preventative maintenance activities on building infrastructure systems as recommended in the Capitol Restoration Regular Maintenance Activities & Budgeting Information guide provided by JE Dunn, the contractor hired to conduct the Capitol restoration. FMD custodians also clean and maintain surfaces, finishes and fabrics in accordance with the prescribed care schedule established by the manufacturers of those products.

Minor design modifications have been made in specific areas to account for condensation around certain doorways and windows and to prevent intake of snow into the air handling units and skylights. Final adjustments to door and lighting controls have also been completed to remedy minor malfunctions/abnormalities in those systems and to tailor them to best meet occupant needs.

To date, FMD has documented limited signs of deterioration outside of the building under the east Porte Cochere where tiles are delaminating as well as peeled paint in the vestibules and certain other areas in the Capitol. Several restoration wrap-up activities are nearing completion as outlined later in this report.

¹ The industry-standard FCI is the condition metric calculated for each building. The FCI provides an excellent means for maintenance prioritization based on overall building conditions, and provides insight to problem areas, neglected building systems, or where maintenance needs to be applied based on limited funds. The FCI is primarily used to support asset management initiatives of federal, state, and local government facilities organizations. It is calculated by dividing the cost of building deficiencies by the current replacement value of a building.

Rating Scale:

Excellent = Building FCI < 0.05
Good = 0.05 < Building FCI < 0.15
Fair = 0.15 < Building FCI < 0.30
Poor = 0.30 < Building FCI < 0.50
Crisis = Building FCI > 0.50

Funding Recurring Maintenance and Minor Repair Activities

Minnesota Statutes 16B.24 authorizes the Commissioner of Administration to operate and maintain the Minnesota State Capitol and state-owned buildings in the Minnesota State Capitol Complex, as well as any other state-owned buildings when advisable or practicable. Consistent with state statutes, Admin directly manages 23 buildings and 31 parking facilities on the 140-acre Capitol Complex, and oversees enterprise real property and all state property leases.

In general, the funding required to operate and maintain state-owned buildings in the Capitol Complex comes through rents paid from the operating budgets of the state government entities that occupy that space. Lease rates are determined biannually by the Commissioner of Administration and approved by the Commissioner of Minnesota Management and Budget.

In contrast, the costs to operate and maintain certain legislative and other space defined in law is funded by a direct appropriation to the Commissioner of Administration, referred to as the “In-lieu of Rent” (ILR) appropriation. ILR-funded space is billed in the same manner and at the same rate per square foot as other tenant-occupied space in the same buildings.

More specifically, the ILR appropriation covers rent for:

- **Ceremonial Space** – Space in the Capitol Building such as the Rotunda, Governor’s Residence, ceremonial grounds, monuments, and memorials in the Capitol area.
- **State Services for the Blind** – Space occupied by State Services for the Blind to operate vending operations and convenience stores at eleven sites (M.S. 248.07 Subd. 7).
- **Rent Waived** – Space in the State Capitol Building, the State Office Building, or Veterans Service Building that is occupied by the House of Representatives, Senate, Revisor of Statutes, Legislative Reference Library, and Congressionally-chartered veterans’ organizations (M.S. 197.55 – 197.58). The newly created public areas in the restored Capitol are also included in this area.

The current funding model for building operations—lease rates for Executive branch agencies and ILR for legislative and related space—works well because it provides the budget consistency needed to plan for and implement routine operations, basic infrastructure maintenance, and expeditiously repurpose space as needed to meet the changing and unique needs of the Legislative Branch. Additionally, because the ILR rate is set in the same manner as lease rates, the Admin lease rate business plan ensures transparency in both the lease setting and ILR appropriation request level.

The current ILR appropriation is \$9.391 million for FY 2020 and \$9.891 million for FY 2021. The ILR appropriation level had been relatively flat since 2003 even though the estimated costs of operating and maintaining that space had been increasing. The appropriation was increased for 2020 and beyond to cover the costs to operate and maintain the larger and more robust mechanical systems throughout the building and to perform recommended inspections and related preventative maintenance. It also helps compensate for the steady increase in costs since 2003 and accounts for the increase in public spaces and associated usage in the Capitol post-Restoration.

The ILR appropriation covers rent, which includes expenses such as utility charges, compensation for general maintenance workers and engineering staff, utilities, cleaning supplies and equipment, and routine maintenance and inspection of equipment and mechanical systems (elevators, fire alarm and sprinklers, etc.). It does not cover historic preservation or periodic needs for capital investment

necessary to maintain buildings, such as roof replacement, mechanical system upgrades or replacements, etc.

49.38% (\$4.637 million) and 50.04% (\$4.949 million) of the ILR appropriation is allocated to the Capitol for FY 2020 and FY 2021 respectively. The ILR appropriation will need to be adjusted periodically in order to allow for major maintenance items such as painting and caulking, as will the rent rates for the non-ILR space. Periodic bonding requests will also be necessary over time to ensure that repairs and asset preservation work such as stone repairs, tuck pointing, roof and system replacement can take place as needed.

2019 Maintenance Activities on the Capitol Building

Preventative Maintenance:

Admin continues to focus on maintaining the Capitol building at a high standard to maximize its longevity. Over the past year, several building systems have received preventative maintenance in accordance with the Capitol Restoration Regular Maintenance Activities & Budgeting Information guide completed by JE Dunn². Work typically consists of visual inspections, filter changes, pump and motor lubrication, belt alignment and tension adjustments, and test operation as required. Work is accomplished quarterly, semi-annually, annually or at custom intervals as prescribed by the maintenance plan.

The major systems that have received preventative maintenance include:

- Building Heating Ventilation and Air Conditioning Systems
- Roof and Rain Leader Heat Tape/Ice Melt Systems
- Electrical Systems (Life Safety Generator)
- Fire Alarm and Detection System
- Smoke Evacuation System
- Door Openers and Control Systems
- Lot N Barricades and Aurora Promenade Bollards

Service Maintenance:

Over the past year, the following service maintenance projects were accomplished on the infrastructure and finishes in accordance with the maintenance plan:

- Annual elevator shaft wall cleaning
- Semi-annual carpet cleaning
- Pigeon droppings removal at various areas around the Building
- Touchup painting in vestibules and other areas throughout the building as needed.

Surveys and Studies:

In the last two years, Admin has also executed the following surveys and studies to inspect and analyze major building components for wear and tear and to develop potential future maintenance and repair projects for the Capitol Building:

- Exterior wall, plaza, window, door, and roof inspection
 - This study partially generated the list of maintenance and repair projects on page 11 of this report.

In 2020, FMD intends to complete the following studies:

- Exterior wall, plaza, window, door, and roof inspection
- Interior plaster and paint assessment

²JE Dunn, the construction contractor for the Capitol Restoration was required to submit this plan at project close, November 2016.

Continued Use of Project Funds

In 2018, the Legislature (Laws of MN 2018, Ch. 214, Article 3, Sections 3 – 6) amended the Capitol Restoration funding authorization for 2013, 2014, and 2015 to allow the unspent portion of those funds to be used to cover the costs of other Capitol Mall related preservation work. The statute was also amended to extend the date by which the funds need to be spent.

Notwithstanding Minnesota Statutes, section 16A.642, the bond sale authorization and appropriation of bond proceeds in this subdivision are available until December 31, 2022. The unspent portion of this appropriation, upon written notice to the commissioner of management and budget, is available to design, construct, and complete accessibility improvements to the Capitol grounds and repairs to monuments and memorials located on the Capitol complex.

Historical Summary of Capitol Restoration Appropriations:

- \$38.2 million in 2012
- \$109 million in 2013
- \$126.3 million in 2014
- \$32.924 million in 2015
- \$3.25 million in 2015 (Legacy Fund appropriations for Capitol art restoration)

There is \$1.2 million in unallocated appropriations.

Projects Underway:

The following work funded with remaining restoration funds are currently underway or were recently completed:

- House Chamber – Install and commission new microphones (underway as of the writing of this report)
- House Chamber – Continued commissioning to refine lighting for session and non-session (underway as of the writing of this report)
- Skylight Asset Preservation Work – Improvements to the skylights to address water infiltration issues after significant snow events (completed in November 2019)
- ADA Walkway to Upper Mall – The new ADA Walkway provides an accessible path from Aurora Promenade in front of the Capitol to the Upper Mall Permitted Events Area (completed summer 2019)
- Capitol Mall – Peace Officer Memorial and Roy Wilkins Memorial – Asset preservation on the Peace Officer Memorial included work on the pavers, thin blue line, foundation and colonnade. Asset preservation work on the Roy Wilkins Memorial included the pavers, bronze features, and light fixtures. Funding in the amount of \$350,000 was appropriated in 2017 to complete limited repairs to these two memorials. Approximately \$1,000,000 in remaining Capitol Restoration funding was utilized to supplement the 2017 funding for repairs to these two memorials (underway as of the writing of this report).

Upcoming Work Funded with Remaining Capitol Restoration Funds

Capitol Mall – Memorial Repairs – Design is nearing completion, and the project is anticipated to be bid in December, to complete a range of needed repairs to the following memorials: Minnesota Woman Suffrage Memorial; Korean War Veterans; U.S.S. Ward Gun; Promise of Youth; Minnesota Vietnam

Memorial; Liberty Bell; Court of Honor; Charles Lindbergh; Hubert H. Humphrey; Leif Erikson; Earth-bound; Minnesota Workers Memorial; Military Family Tribute; and, Minnesota World War II Veterans Memorial. The preliminary budget for repairs to these memorials is \$4,000,000. Construction work is anticipated to start in spring, 2020.

East Porte Cochere – Investigate and address delamination of Guastavino ceiling tile; pre-restoration area was utilized as a mechanical room; lead abatement work was also completed on the tile during the restoration project.

Future Maintenance and Repair Projects

In accordance with the Capitol Restoration Regular Maintenance Activities & Budgeting Information guide, and as a result of the exterior surface inspection, the following projects are planned over the next five years, including projected costs:

FY2020:

Repair Silicone Tape on Granite Gutters	\$24,000
Repaint Select Window Sills	\$10,000
Replace Sealant at Various Doors, Windows and Floor Joints	\$18,500
Repaint Door Sills	\$28,000
Total projected costs	\$80,500

FY2021:

Repair Balcony Sealant/Caulking	\$350
Repair Sealant/Caulk on Granite Stairs	\$24,000
Other Exterior Maintenance	\$80,000
Total projected costs	\$104,350

FY2022:

Repair Roof Catwalk Support Penetrations	\$17,700
Replace Lantern Windows	\$27,000
Refinish gallery seat wood components	\$25,000
Other Exterior Maintenance	\$80,000
Total projected costs	\$149,700

FY2023:

Other Sealant Repairs as needed	\$119,400
Miscellaneous/ Random Tuck-Pointing of Exterior Walls	\$1,050
Tuck-pointing of Plaza Curbs on Grade	\$25,560
Other Exterior Maintenance	\$80,000
Total projected costs	\$226,010

FY2024:

Miscellaneous/Random Plaza Tuck-Pointing	\$12,600
Miscellaneous/Random Roof Tuck-Pointing	\$2,100
Repaint Exterior Windows	\$2,500,000
Decorative Paint Professional Cleaning	\$65,000
Other Exterior Maintenance	\$80,000
Total projected costs	\$2,659,700

In addition to the programmed repairs mentioned above, Admin will continue with preventative maintenance and cleaning schedules in accordance with the Capitol Restoration Regular Maintenance Activities & Budgeting Information guide.

Projected Funding Needs

Admin has the funding needed in FY 2020 and FY2021 to ensure compliance with the Capitol Restoration Regular Maintenance Activities & Budgeting Information guide, ensure the Building's longevity, and to protect the significant investment of taxpayer dollars in the Capitol Restoration.

It is expected that Admin will request an additional increase to the ILR budget in future fiscal years to cover the cost to paint the exterior of the windows and other maintenance items. Additionally, bonding requests will be necessary to cover asset preservation and repair work.

As members of the Capitol Preservation Commission, we share this information in order to inform your decision making, continue adequate stewardship of the Capitol Building, and ensure the longevity of the restoration effort completed in 2016.



Capitol Preservation Commission Members

Governor Tim Walz

Lieutenant Governor Peggy Flanagan

Attorney General Keith Ellison

Chief Justice Lorie Gildea

Senate Minority Leader Tom Bakk

Senator Carla Nelson *for Senate Majority*

Leader Paul Gazelka

House Speaker Melissa Hortman

House Minority Leader Kurt Daudt

Senator David Senjem, *Chair, Senate Capital*

Investment Committee

Senator Sandy Pappas, *Ranking Minority*

Member, Senate Capital Investment Committee

Senator Warren Limmer

Senator Ann Rest

Representative Mary Murphy, *Chair, House*

Capital Investment Division

Representative Dean Urhdahl, *Republican*

Lead, House Capital Investment Division

Representative Tou Xiong

Representative Paul Torkelson

Commissioner Alice Roberts-Davis

Department of Administration

Commissioner John Harrington

Department of Public Safety

Kent Whitworth, *Executive Director, Minnesota*

Historical Society

Paul Mandell, *Executive Secretary, Capitol*

Area Architectural and Planning Board

Public member - Vacant

Public member - Vacant

Public member - Vacant

Public member - Vacant